

REMARKS

I. Introduction

Claims **19-21** and **37-40** are currently pending in the present application. Claims **19, 20** and **37** are independent. All claims stand rejected. In particular, all claims (claims **19-21** and **37-40**) stand *remain* rejected (despite prosecution having been reopened after Pre-Appeal Brief Review) under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,006,257 (hereinafter “Slezak”).

Upon entry of this amendment, which is respectfully requested, claims **19-21** and **37-40** will be cancelled without prejudice or disclaimer, and new claims **41-85** will be added. No new matter is believed to be introduced by this amendment.

Applicants hereby respectfully request reexamination and reconsideration of the pending claims in light of the amendments and remarks provided herein and in accordance with 37 C.F.R. §1.112.

II. Interview

Initially, Applicants thank Primary Examiner Tran for speaking with Applicants’ representative on July 3, 2006. Applicants note that while no agreement was reached during the interview, a better understanding of the Examiner’s interpretation of the cited reference was revealed. At least because Applicants strongly disagree with the Examiner’s interpretation of both the cited reference and the pending claims, new claims are presented herein solely to advance prosecution. Any subject matter and/or any original claim not currently being pursued is intended to be pursued in one or more continuing applications.

III. Claim Rejections under §103(a) – Slezak

All pending claims (claims **19-21** and **37-40**) stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Slezak. This ground for rejection is moot, as claims **19-21** and **37-40** are cancelled herein.

IV. New Claims

New claims **41-85** are believed to be patentable over the cited reference. Applicants believe, for example, that the cited reference fails to teach, suggest, or render obvious at least:

- (i) *providing a web interface via which a viewer of an entertainment program may purchase a plurality of props used in the entertainment program* (claims **41-52**);
- (ii) *receiving, via a web interface and from a viewer, an indication of an entertainment program recording identifier associated with an entertainment program* (claims **53-57**);
- (iii) *receiving, from the viewer, an indication of one of the plurality of products that the viewer desires to purchase* (claims **58-69**);
- (iv) *receiving, via the web interface and from the viewer, an indication of a product from the entertainment program that the viewer desires to purchase* (claims **70-74**);
- (v) *receiving, at the controller and from a viewer of the entertainment program, a purchase request comprising an indication of a subset of the program information and a subset of the product information* (claims **75-81**);
- (vi) *reviewing an entertainment program to determine that a product used in the entertainment program will be offered for sale* (claims **82-83**); or
- (vii) *selling the prop to the one of the plurality of viewers associated with the highest ranked bid* (claims **84-85**).

V. Conclusion

At least for the foregoing reasons, it is submitted that all pending claims are now in condition for allowance, *or in better form for appeal*, and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remain any questions regarding the present application or the cited reference, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Carson C.K. Fincham at telephone number 203-461-7017 or via electronic mail at cfincham@walkerdigital.com, at the Examiner's convenience.

VI. Petition for Extension of Time to Respond

While no fees are believed to be due at this time, please charge any fees that may be required for this Amendment to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

Respectfully submitted,

July 5, 2006

Date

/Carson C.K. Fincham, Reg.#54096/

Carson C.K. Fincham

Attorney for Applicants

Registration No. 54,096

Walker Digital, LLC

cfincham@walkerdigital.com

203-461-7017 /voice

203-461-7018 /fax